

**UNITED STATES DISTRICT COURT**  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

FILED  
Jan 21 2016  
Clerk, U.S. District Court  
Western District of Texas

By: 

Deputy

**UNITED STATES OF AMERICA**

vs.

**(1) FELIPE PASCUAL-AGUSTIN**

§  
§ CASE NUMBER: **EP:16-M-00005(1)**  
§ USM Number:  
§

Defendant.

**JUDGMENT IN A CRIMINAL CASE  
(For A Petty Offense) - Short Form**

The defendant, Felipe Pascual-Agustin, was represented by counsel, Edward Hernandez.

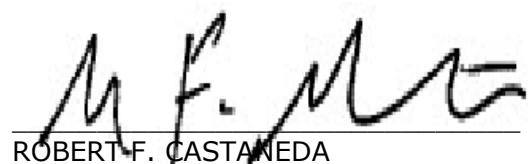
The defendant pled guilty to the complaint on **January 21, 2016**. Accordingly, the defendant is adjudged guilty of the following offense(s):

| <b>Title &amp; Section</b> | <b>Nature of Offense</b>   | <b>Date of Offense</b> |
|----------------------------|----------------------------|------------------------|
| 8 USC 1325(a)(1)           | IMPROPER ENTRY BY AN ALIEN | December 29, 2015      |

As pronounced on January 21, 2016, the defendant is hereby committed to the custody of the United States Bureau of Prisons for a term of **Time Served**. The defendant shall remain in custody pending service of sentence.

The special assessment imposed pursuant to 18 U.S.C. § 3013 is hereby remitted pursuant to 18 U.S.C. § 3573 because reasonable efforts to collect this assessment are not likely to be effective.

Signed on this the 21st day of January, 2016.



ROBERT F. CASTANEDA  
U.S. MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

USA

vs.

(1) FELIPE PASCUAL-AGUSTIN

§  
§  
§  
§

Case Number:  
EP:16-M -00005(1)

**ORDER APPOINTING COUNSEL**

The above named Defendant has testified under oath, or has otherwise satisfied this court, that he/she is financially unable to obtain counsel and does not wish to waive representation by counsel.

Therefore, in the interest of justice, Hernandez, Edward, is hereby appointed to represent the defendant in the above-styled and numbered cause.

This appointment shall remain in effect until further order of this court.

It is so **ORDERED** this 4th day of January, 2016.

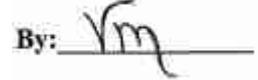


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ROBERT E. CASTANEDA  
U.S. MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS, EL PASO DIVISION

FILED  
01/04/2016  
Clerk, U.S. District Court  
Western District of Texas

By: 

Deputy

USA

vs.

(1) FELIPE PASCUAL-AGUSTIN

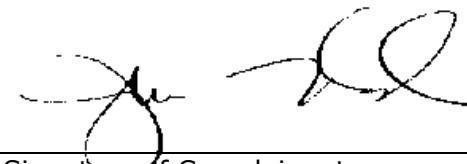
§  
§ CRIMINAL COMPLAINT  
§ CASE NUMBER: EP:16-M -00005(1)  
§

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about December 29, 2015 in El Paso county, in the WESTERN DISTRICT OF TEXAS defendant did, being an alien to the United States, knowingly enter and attempt to enter the United States at a time and place other than as designated by immigration officers in violation of Title 8 United States Code, Section(s) 1325(a)(1).

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts: "**The Defendant, Felipe PASCUAL-Agustin an alien to the United States and a citizen of Guatemala, entered the United States from the Republic of Mexico on December 29, 2015 by wading the Rio Grande River 2.1 miles west of the Paso Del Norte Port of Entry, El Paso, Texas, which is located in the Western District of Texas. The area where the DEFENDANT crossed is not designated as a port of entry by immigration officers.**"

Continued on the attached sheet and made a part hereof:

Yes  No



Signature of Complainant  
Urquidi, John P.  
Border Patrol Agent

Sworn to before me and subscribed in my presence,

01/04/2016  
Date

at EL PASO, Texas  
City and State



Signature of Judicial Officer

ROBERT F. CASTANEDA  
U.S. MAGISTRATE JUDGE

CONTINUATION OF CRIMINAL COMPLAINT

**WESTERN DISTRICT OF TEXAS**

**(1) FELIPE PASCUAL-AGUSTIN**

FACTS (CONTINUED)

**On December 29, 2015, at approximately 6:30 p.m., Camera Control advised agents of three individuals entering the United States illegally approximately 2.1 miles west of the Paso Del Norte Port of Entry, El Paso, Texas. Border Patrol Agent Damian Martinez responded to the area and approached the individuals. Agent Martinez identified himself as United States Border Patrol Agents. Agent Martinez questioned all the individuals to include the DEFENDANT as to his citizenship and immigration status. The DEFENDANT readily admitted to being citizen of Guatemala with no immigration documents allowing him to enter, be or remain in the United States legally. The DEFENDANT was transported to the Paso Del Norte Border Patrol Processing Center for processing. The DEFENDANT was enrolled into the E3/IDENT/NGI system utilizing his biographic information and fingerprints. The system returned with negative immigration and negative criminal history. The DEFENDANT was advised and read his rights via Form I-214S which he acknowledged that he understood his rights by signing the form. Because this Affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning this investigation.**

The Defendant, Felipe PASCUAL-Agustin an alien to the United States and a citizen of Guatemala, entered the United States from the Republic of Mexico on December 29, 2015 by wading the Rio Grande River 2.1 miles west of the Paso Del Norte Port of Entry, El Paso, Texas, which is located in the Western District of Texas. The area where the DEFENDANT crossed is not designated as a port of entry by immigration officers.

IMMIGRATION HISTORY:

**NONE**

CRIMINAL HISTORY:

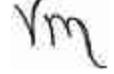
**NONE**

**United States District Court  
Western District of Texas  
El Paso Division**

**FILED**

**Jan 4 2016**

Clerk, U.S. District  
Court  
Western District of  
Texas

By: 

Deputy

**UNITED STATES OF AMERICA**

vs.

**(1) FELIPE PASCUAL-AGUSTIN**

*Defendant*

§  
§  
§  
§ 3:04 - 3:14  
§

**CASE NUMBER: EP:16-M -00005(1)**

**Interpreter Required: Yes  No**

**\*PROCEEDINGS SHEET/NOTICE**

**8:1325**

TAKE NOTICE That a proceeding in this case has been set for the place, date and time set forth below:

PLACE

**Albert Armendariz Sr.  
United States Courthouse  
525 Magoffin Ave.  
El Paso, Texas 79901**

ROOM NO.

**Magistrate Courtroom #612**

DATE AND TIME

**January 19, 2016 AT 1:30 PM**

TYPE OF PROCEEDING

**MISDEMEANOR ARRAIGNMENT**

**ROBERT F. CASTANEDA**

UNITED STATES MAGISTRATE JUDGE

**January 4, 2016**

INITIAL APPEARANCE DATE\*

**(915) 834-0520**

**V. Montoya**

(BY) DEPUTY CLERK

TO: DEFENDANT:

DEF ATTORNEY:

**Edward Hernandez**

**(915) 838-0338**

**(CJA)**

U.S. PROBATION

U.S. PRETRIAL

U.S. ATTORNEY

U.S. MARSHAL

AGENCY / AGENT: **El Paso Sector Border Patrol -  
Urquidi, John P.**

BOND: **\$10,000 - CASH OR CORPORATE SURETY**

Defendant afforded initial appearance pursuant to Fed.R.Crim.P.5. informed of charges, penalties, right to remain silent, right to preliminary examination, right to be represented by counsel, and to appointment of counsel if Defendant is financially unable to obtain counsel, and the circumstances under which Defendant may secure pretrial release. \*\* Initial appearance for Defendant is electronically recorded.